

Approved Minutes
Land Trusts Protection & Advocacy Committee
Thursday, October 15, 2020 | 3:30 p.m.

Land Trusts Protection & Advocacy Office, Suite 340
Electronic Meeting held through Zoom
Video Conference:
<https://us02web.zoom.us/j/5893447457>

Members of the Committee Present (Virtually):

Paula Plant (USBF)
Richard Ellis (my529)
Louie Cononelos (Louie Cononelos & Associates Consulting LLC)
Steve Ostler (Community Volunteer)
Brigham Tomco (Zylun Global)

Others Present (Virtually):

David Damschen (Utah State Treasurer)
Kirt Slauch (Chief Deputy State Treasurer)
Marissa Sittler (Utah Office of State Treasurer)
Jessie Stuart (Land Trusts Protection & Advocacy Office)
Scott Ruppe (School and Institutional Trust Lands Administration)
Margaret Bird (Higher Education Beneficiaries)
Alison Garner (Utah Office of the Attorney General)

Meeting called to order by Mr. Ostler at approximately 3:30 p.m.

1. Welcome

Chair Ostler opened the October 15, 2020 Land Trusts Protection and & Advocacy Committee meeting.

2. Approval of Prior Meeting Minutes

Mr. Ostler welcomed the approval of the September 8, 2020 meeting minutes. Mr. Cononelos made a motion to approve the minutes and Mr. Ellis seconded the motion. The motion passed unanimously with all committee members voting in favor.

Record of Vote:

Mr. Tomco: Aye
Ms. Plant: Aye
Mr. Ostler: Aye
Mr. Cononelos: Aye
Mr. Ellis: Aye

3. Public Comments

Chair Ostler stated that the Committee had set aside 15 minutes to entertain public comments and welcomed any that there may be. There were no public comments for the meeting. Chair Ostler noted that this will be a regular occurring item for future meetings, should there be a member of the public who would like to provide comment. Additionally, there will likely be a formal policy created to address taking public comments that the Committee will discuss in the future.

4. Advocacy Office Report

Ms. Stuart provided an update on the activities of the Advocacy Office. She noted that the activities of the office during the past month align with the Office's goals to maintain collaborative relationships among trust entities, key personnel, local elected officials, and increasing awareness of the trust. Ms. Stuart provided an update on five items: Legislative visits, the trust system video, annual report, meetings with trust entities and key personnel, and an annual trust meeting.

Legislative Visits: Continuing visits with legislators is a priority in advocating and maintaining support for the mission and initiatives of the trust. Several visits were made during the months of September and October. Mr. Cononelos asked if SITLA would be joining on visits with legislators. Ms. Stuart said that a joint effort was welcomed and would help establish understanding of the separate entities. It was noted that it has been discussed with SITLA to coordinate schedules and have someone from SITLA join those visits if desired.

Trust System Video: A subcommittee made up of an individual from SITFO, SITLA, the Utah Office of State Treasurer, and Advocacy Office have continued to efforts on creating a video that outlines the trust system and responsibilities of each agency. The video is expected to be a valuable tool in advocacy efforts and education of the trust system. It is expected to be completed with the next couple weeks.

Annual Report: The Advocacy Office is in the process of creating the FY20 Annual Report. The report will follow a similar format to as the FY19 Annual Report. Mid-November is the estimated completion date for the report.

Meetings with Trust Entities and Key Personnel: Ms. Plant and Ms. Stuart are having visits with trust entities and key personnel including beneficiaries, SITLA management, SITFO management, and the treasurer. These meetings have proved valuable in continuing regular communication as well as an opportunity to assess and evaluate the efforts of the Office and goals moving forward.

Annual Trust Meeting: The Advocacy Office is anticipating hosting an annual trust conference. The agenda is still being developed. The date is subject to change and more information will be provided as available.

5. Other Items of Business:

Chair Ostler stated that most of the previously discussed work regarding legislation amendments

from prior Committee meetings has been decided to be put on hold for the time being, with the potential exception of pursuing an exemption to GRAMA when pertaining to confidential information that is received from SITFO. The concern that the legislation is trying to resolve, is that if the Advocacy Office director is part of SITFO's closed meetings where there is confidential information provided, then the Advocacy Office director also needs to be protected from GRAMA.

Mr. Ellis inquired about the necessity of the Advocacy Office needing to have copies of SITFO's confidential documents and whether it is relevant to the scope of what the Advocacy Office should be doing. Ms. Plant commented that it is possible for someone who is participating in a meeting to be GRAMA requested for listening in on the discussion and for their knowledge.

A brief discussion was had pertaining possible legislation SITLA, SITFO, and The Advocacy Office have considered running either pertaining to GRAMA or OPMA. Treasurer Damschen noted that he believes it is generally best if GRAMA and OMPA amendments are combined, but is open to suggestion. Mr. Ruppe agreed that a further discussion is necessary and that the legislation should be united. Ms. Stuart and Ms. Plant will coordinate a meeting with the impacted parties to discuss and will report to the Advocacy Committee on any decisions and related progress.

6. Closed Session – Discuss Applications for Advocacy Office Director Position:

Mr. Cononelos made the motion to go into closed session, including Treasurer Damschen in the closed meeting, with Mr. Ellis seconding the motion. Pursuant to Utah Code §52-4-205(1)(a), discussion of the character, professional competence, or physical or mental health of an individual(s) the Committee .

Record of Vote:

Mr. Tomco: Aye

Ms. Plant: Aye

Mr. Ostler: Aye

Mr. Cononelos: Aye

Mr. Ellis: Aye

A closed session was entered to discuss applicants for the Advocacy Office director position. After the closed meeting, the open meeting was resumed. Chair Ostler stated that the Committee has decided to interview several of the candidates who have applied.

Chair Ostler opened the discussion to the Committee on their opinions for whether to change the job description and qualifications for the Advocacy Office director position. Mr. Ellis stated that he does not believe it is necessary at this point in the process, as there are potential candidates that have applied that may be a good fit for the position.

Additionally, Chair Ostler stated that the remaining items under agenda item five pertain to the current discussion of the qualifications for the Advocacy Office director position, and therefore no action will be necessary for those.

Chair Ostler thanked everyone for the time and involvement and commended Ms. Stuart and Ms. Plant for their work. He thanked SITLA and SITFO for their help during this transition time.

7. Adjourn

Mr. Tomco made a motion to adjourn. The motion passed unanimously with all members voting in favor.

Record of Vote:

Mr. Tomco: Aye
Ms. Plant: Aye Mr.
Ostler: Aye
Mr. Cononelos: Aye Mr
Ellis: Aye

The meeting was adjourned.